

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *ag* D.C.  
05 DEC -1 AM 10:14

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TENNESSEE

HOWARD TERRY,

Plaintiff,

vs.

MEMPHIS HOUSING AUTHORITY,  
ROBERT LIPSCOMB, in his  
official Position as Executive  
Director,

Civ. No. 05-2283-B/P

Defendants.

ORDER GRANTING DEFENDANTS' MOTION TO COMPEL AND FOR SANCTIONS

Before the court is the Motion to Compel and for Sanctions submitted by Defendants, Memphis Housing Authority and Robert Lipscomb, in his official capacity. Local Rule 7.2(a)(2) requires that

the response to the motion and its supporting memorandum . . . shall be filed within fifteen days after service of the motion and shall be accompanied by a proposed order. Failure to respond timely to any motion, other than one requesting dismissal of a claim or action, may be deemed good grounds for granting the motion.

The time for filing a response to defendants' motion to compel and sanctions has passed. Therefore defendants' motion to compel is GRANTED.


This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 12-1-05

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Accordingly, the court orders that plaintiff make his initial disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure within ten (10) days from the date of this Order. Failure to comply with this court's order shall result in dismissal of this action pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Defendants' request for attorneys fees is GRANTED. Defendants' counsel is hereby directed to provide the court with an itemized billing of attorney's fees incurred in preparing the motion to compel within fourteen (14) days of the entry of this order.

IT IS SO ORDERED.

  
TU M. PHAM  
United States Magistrate Judge  
December 1, 2005  
Date



## Notice of Distribution

This notice confirms a copy of the document docketed as number 14 in case 2:05-CV-02283 was distributed by fax, mail, or direct printing on December 1, 2005 to the parties listed.

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Wanda Abioto  
LAW OFFICE OF WANDA ABIOTO  
1555 Madison Ave.  
Memphis, TN 38104

Jennifer Shorb Hagerman  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103

Nathan A. Bicks  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103

Lisa A. Krupicka  
BURCH PORTER & JOHNSON  
130 N. Court Avenue  
Memphis, TN 38103

Honorable J. Breen  
US DISTRICT COURT